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FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER	
ZIMMERMANN, JOHN P	

ART UNIT	PAPER NUMBER
2861	

MAIL DATE	DELIVERY MODE
04/15/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/524,030	TANIUCHI ET AL.	
	Examiner	Art Unit	
	John P. Zimmermann	2861	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 & 31 January 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-13* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-13* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *09 February 2005* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *31 January 2008*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawings were originally objected to by the examiner as failing to comply with 37 CFR 1.84(p)(5). Given the specification amendments submitted on 28 January 2008, in relation to the drawings, the examiner now finds the drawings to be in compliance with 37 CFR 1.84(p)(5).

Specification

2. The examiner has approved the changes to the specification submitted on 28 January 2008 to include the amended abstract and the amendments in relation to the reference numbers in the Drawings and subsequently, the objection is withdrawn.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. **Claims 1-5, 8-10, & 12-13** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Jeanmaire et al.,** (US 6,109,746 A) in view of **Wen,** (US 6,234,625 B1) and in further view of **Holloway et al.,** (US 6,398,357 B1).

a. As related to independent **claim 1,** Jeanmaire et al. teach an image forming process (Jeanmaire et al. – Abstract) including applying a first liquid [i.e. agent or ink precursor or reactant or diluent] for increasing the wettability of a surface of an intermediate transfer medium to the intermediate transfer medium (Jeanmaire et al. – Detailed Description, Column 2, Lines 8-12; Column 3, Lines 37-40 & 41-50 and Figure 3, Reference #10, #20, #30, #40 & #50, shown below) and applying a second liquid [i.e. agent or precursor or reactant or diluent] for decreasing the flowability of an ink to the intermediate transfer medium to which the first liquid has been applied (Jeanmaire et al. – Detailed Description, Column 3, Lines 5-10 & 41-50; Column 7, Lines 31-32 and Figure 3, Reference #220, shown below).

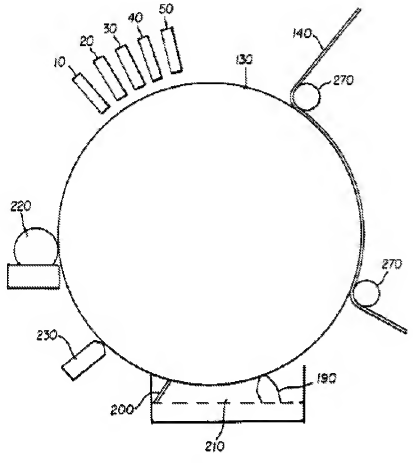


FIG. 3

b. Continuing with **claim 1,** Jeanmaire et al. teach applying the ink to the intermediate transfer medium (Jeanmaire et al. – Detailed Description, Column 2, Lines 63-65; Column 3, Lines 19-20 and Figure 4, Reference #10, #20, #30, #40, & #50, shown below), to which the first liquid and the second liquid have been applied, from an ink-jet recording head to form an image of the ink on the intermediate transfer medium, and transferring the ink image formed on the intermediate transfer medium to a recording medium (Jeanmaire et al. – Detailed Description, Column 2, Lines 64-65 and Figure 3, Reference #140, shown above).

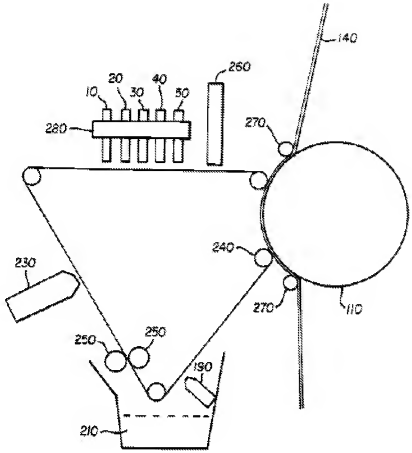


FIG. 4

c. Continuing with **claim 1,** while Jeanmaire et al. teach the application of the various fluids in a variety of order, Wen ***specifically*** teaches treating, with a treatment fluid that is selected in an effort to optimize the fixing of the image, the receiver before placing the ink on the receiver while understanding the receiver could be treated after the ink has been formed on the receiver (Wen – Detailed Description – Column 3, Lines 23-24 & 48-50; Column 4, Lines 11-15; and Figure 3, Reference #120, shown below). Additionally, while Jeanmaire et al. teach a variety of materials to be applied, it is well

understood in the art, and exemplified by Holloway et al. that the materials required to produce a quality image using an intermediate transfer surface include wetting agents [i.e. solution which increases transfer efficiency] applied to the surface as a liquid coating solution separate from the ink (Holloway et al. – Title; Abstract – Lines 2-4; Summary, Column 1, Lines 35-39 and Detailed Description, Column 2, Lines 19-20 & Column 4, Lines 14-27).

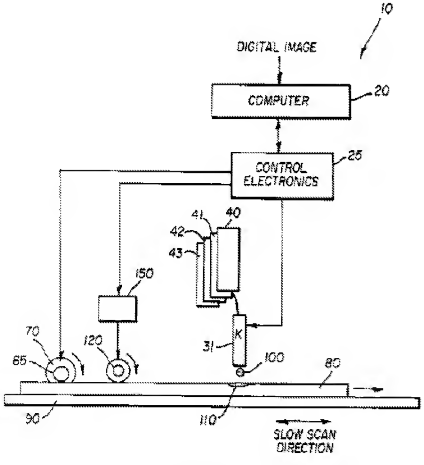


FIG 3

d. As related to independent **claim 2,** Jeanmaire et al. teach an image forming process which comprises the steps of: applying a first liquid [i.e. agent or ink precursor or reactant or diluent] for increasing the wettability of a non-absorbent surface of an intermediate transfer medium to the intermediate transfer medium (Jeanmaire et al. – Detailed Description, Column 2, Lines 8-12; Column 3, Lines 37-40 & 41-50 and Figure 3, Reference #10, #20, #30, #40 & #50, shown below), applying a second liquid [i.e. agent or precursor or reactant or diluent] for aggregating a coloring material in the ink to the intermediate transfer medium to which the first liquid has been applied (Jeanmaire et al. – Detailed Description, Column 2, Lines 8-12; Column 3, Lines 5-10 & 37-50; Column 7, Lines 31-32 and Figure 3, Reference #10, #20, #30, #40, #50, & #220 shown below).

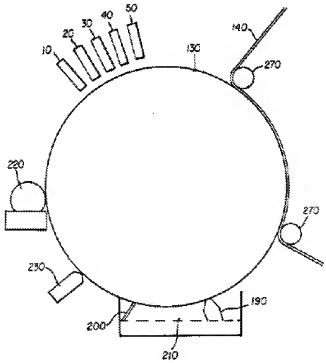


FIG. 3

e. Continuing with **claim 2**, Jeanmaire et al. teach applying the ink to the intermediate transfer medium (Jeanmaire et al. – Detailed Description, Column 2, Lines 63-65; Column 3, Lines 19-20 and Figure 4, Reference #10, #20, #30, #40, & #50, shown previously), to which the first liquid and the second liquid have been applied, from an ink-jet recording head to form an ink image on the intermediate transfer medium, and transferring the ink image formed on the intermediate transfer medium to the recording medium (Jeanmaire et al. – Detailed Description, Column 2, Lines 64-65 and Figure 3, Reference #140, shown above). Additionally, while Jeanmaire et al. teach the application of the various materials to include fluids in a variety of order, Wen ***specifically*** teaches treating the receiver, with a treatment fluid that is selected in an effort to optimize the fixing of the image, before placing the ink on the receiver while understanding the receiver could be treated after the ink has been formed on the receiver (Wen – Detailed Description – Column 3, Lines 23-24 & 48-50; Column 4, Lines 11-15; and Figure 3, Reference #120, shown below). Additionally, while Jeanmaire et al. teach a variety of materials to be applied, it is well understood in the art, and exemplified by Holloway et al. that the materials required to produce a quality image and increase the transfer efficiency using an intermediate transfer surface, include surface energy enhancers and flocculating agents applied to the intermediate surface as a liquid solution (Holloway et al. – Background, Column 1, Lines 25-27; Summary, Column 1, Lines 35-39 & 50-54 and Detailed Description, Column 2, Lines 19-20; Column 4, Lines 14-27 & Column 5, Lines 11-13).

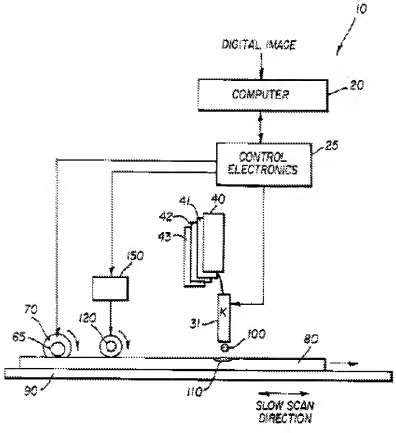


FIG. 3

f. As related to independent **claim 3,** Jeanmaire et al. teach an image forming process (Jeanmaire et al. – Abstract) including applying a first liquid [i.e. agent or ink precursor or reactant or diluent] containing a surfactant [i.e. wetting agent] (Dictionary.com – Definition of surfactant) to an intermediate transfer medium having a surface containing at least one material from among a fluororubber and a silicone rubber [i.e. elastomeric] medium (Jeanmaire et al. – Detailed Description, Column 2, Lines 8-12; Column 3, Lines 10-13, 37-40 & 41-50; Figure 3, Reference #10, #20, #30, #40 & #50 and Figure 4, Reference Arrow, both shown below), applying a second liquid [i.e. agent

or ink precursor or reactant or diluent] for aggregating a coloring material in an ink to the intermediate transfer medium to which the first liquid has been applied (Jeanmaire et al. – Detailed Description, Column 2, Lines 8-12; Column 3, Lines 5-10, 37-50; Column 7, Lines 31-32; and Figure 3, Reference #10, #20, #30, #40 & #50, shown below).

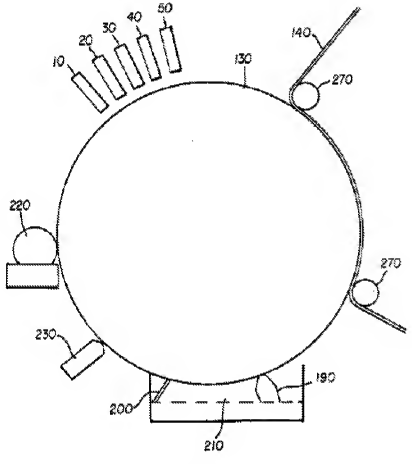


FIG. 3

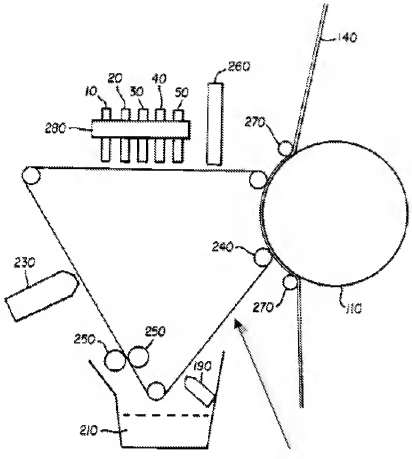


FIG. 4

g. Continuing with **claim 3,** Jeanmaire et al. teach applying the ink to the intermediate transfer medium (Jeanmaire et al. – Detailed Description, Column 2, Lines 63-65; Column 3, Lines 19-20 and Figure 4, Reference #10, #20, #30, #40, & #50, shown above), to which the first liquid and second liquid have been applied, from an ink-jet recording head to form an image of the ink on the intermediate transfer medium, and transferring the ink image formed on the intermediate transfer medium to the recording medium (Jeanmaire et al. – Detailed Description, Column 2, Lines 64-65 and Figure 3,

Reference #140, shown above). Additionally, while Jeanmaire et al. teach the application of the various materials to include fluids in a variety of order, Wen ***specifically*** teaches treating the receiver, with a treatment fluid that is selected in an effort to optimize the fixing of the image, before placing the ink on the receiver while understanding the receiver could be treated after the ink has been formed on the receiver (Wen – Detailed Description – Column 3, Lines 23-24 & 48-50; Column 4, Lines 11-15; and Figure 3, Reference #120, shown below).

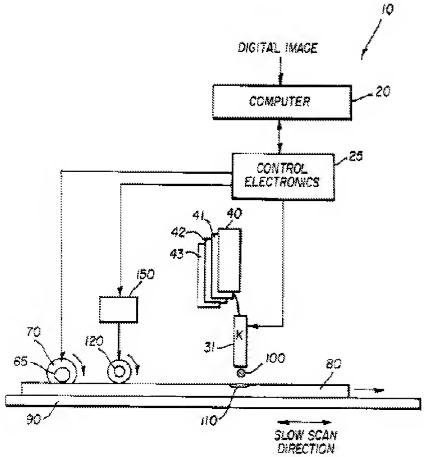


FIG 3

h. Continuing with **claim 3,** while Jeanmaire et al. teach a variety of materials to be applied, it is well understood in the art, and exemplified by Holloway et al. that the materials required to produce a quality image and increase the transfer efficiency using an intermediate transfer surface, include wetting agents [i.e. surfactants] (Holloway et al. – Title; Abstract – Lines 2-4; Summary, Column 1, Lines 35-39 and Detailed Description, Column 2, Lines 19-20) and aggregating agents applied to the intermediate surface (Holloway et al. – Background, Column 1, Lines 25-27; Summary, Column 1, Lines 50-54 and Detailed Description, Column 4, Lines 23-25 & Column 5, Lines 11-13). Finally, while Jeanmaire et al. teach the transfer medium surface constructed of materials well known in the printing industry, Holloway et al. ***specifically*** teach the surface of the transfer medium being any type of rubber (Holloway et al. – Detailed Description, Column 3, Lines 61-62 & Column 4, Lines 5-11) and further specifies silicone (Holloway et al. – Detailed Description, Column 5, Lines 57-59 & Column 6, Lines 15-18).

Given the same field of endeavor, specifically a method for forming an image using various treatments and surfaces, it is apparent that one of ordinary skill in the art at the time the invention was made would have been motivated to combine the method for printing information by collecting amounts of different materials on an intermediate transfer medium and then to the image receiver as taught by Jeanmaire et al. with the specific materials in the specific order of treating the medium prior to application of the ink using specific materials as taught by Wen and further exemplified by Holloway et al. in an effort to enhance the image structure (Wen – Summary, Column 1, Lines 32-33) and provide an intermediate transfer type printing method with improved transfer efficiency and optical density thereby forming a "good image" (Holloway et al. – Background, Column 1, Lines 25-33 and Detailed Description, Column 2, Lines 19-20).

i. As related to dependent **claim 4**, the previous combination of Jeanmaire et al., Wen, and Holloway et al. remains as applied to **claim 2,** additionally, Holloway et al. teach the surface of the intermediate transfer medium being any type of rubber (Holloway et al. – Detailed Description, Column 3, Lines 61-62 & Column 4, Lines 5-11) and further specifies silicone (Holloway et al. – Detailed Description, Column 5, Lines 57-59 & Column 6, Lines 15-18).

j. As related to dependent **claim 5**, the previous combination of Jeanmaire et al., Wen, and Holloway et al. remains as applied to **claim 2,** additionally, Holloway et al. teach the surface of the intermediate transfer medium having a rubber hardness ranging from 10-100 (Holloway et al. – Examples, Column 5, Lines 49-51 and http://www.americanurethane.com/adiprene.htm - American Urethane physical properties of ADIPRENE L42).

k. As related to dependent **claim 8** and further dependent **claim 10,** the previous combination of Jeanmaire et al., Wen, and Holloway et al. remains as applied to **claim 2,** additionally, Jeanmaire et al. teach the second liquid contains a metal ion (Jeanmaire et al. – Detailed Description, Column 3, Lines 37-52) while Holloway et al. teach the second liquid contains a surfactant (Holloway et al. – Detailed Description, Column 2, Lines 55-57).

l. As related to dependent **claim 9,** the previous combination of Jeanmaire et al., Wen, and Holloway et al. remains as applied to **claim 2,** additionally, Jeanmaire et al. teach a position to which the second liquid is applied is changed according to an image to

be formed (Jeanmaire et al. – Detailed Description, Column 2, 59-65 and Figure 3, Reference #10, shown below).

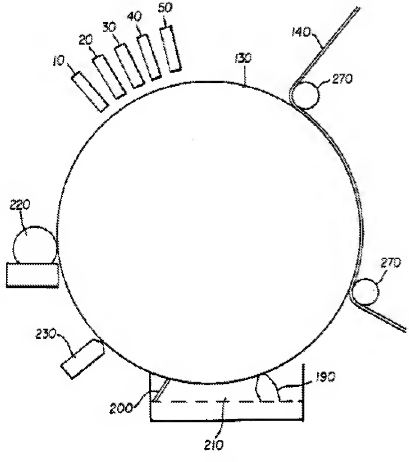


FIG. 3

m. As related to dependent **claim 12,** the previous combination of Jeanmaire et al., Wen, and Holloway et al. remains as applied to **claim 2,** additionally, Jeanmaire et al. teach a step of facilitating the removal of a solvent contained in the ink image formed on the intermediate transfer medium (Jeanmaire et al. – Detailed Description, Column 3, Lines 1-5 and Figure 3, Reference #190, #200, #210, & #230, shown above).

n. As related to dependent **claim 13,** the previous combination of Jeanmaire et al., Wen, and Holloway et al. remains as applied to **claim 2,** additionally, Jeanmaire et al. teach at least one of the first liquid and the second liquid [i.e. ink precursor or reactant or diluent] is applied by using a head of an ink-jet system (Jeanmaire et al. – Detailed Description, Column 3, Lines 38-40 and Figure 3, Reference #10 & #20, shown above).

7. **Claim 6** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Jeanmaire et al.,** (US 6,109,746 A) **Wen,** (US 6,234,625 B1) and **Holloway et al.,** (US 6,398,357 B1) as applied to **claims 1 & 2** above, and further in view of **Komatsu et al.,** (US 6,059,407 A).

The previous combination of Jeanmaire et al., Wen, and Holloway et al. remains as applied above, but ***does not*** specifically teach the first liquid contains a surfactant. ***However,*** Komatsu et al. teach a method for ink jet recording using an intermediate transfer medium wherein the first material applied to the intermediate transfer medium is a liquid containing a surfactant (Komatsu et al. – Title; Abstract; Brief Description of Drawings, Column 2, Lines 42-44 and Figure 2, Reference #1 & #41, shown below).

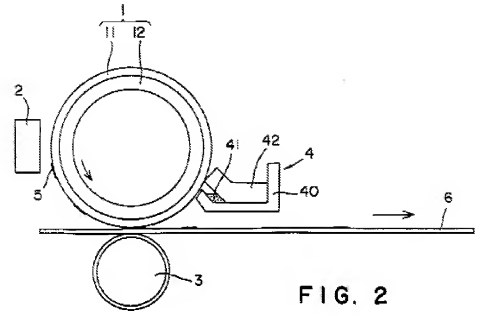


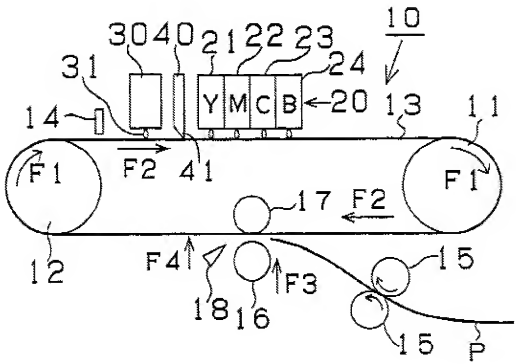
FIG. 2

Given the same field of endeavor, specifically a method for forming an image using various treatments and surfaces, to include an intermediate transfer medium, it is apparent that one of ordinary skill in the art at the time the invention was made would have been motivated to combine the method for printing information on an intermediate transfer medium and then to the image receiver as taught by the combination of Jeanmaire et al., Wen, and Holloway et al. with the method of applying a first material to the intermediate transfer medium containing a surfactant as taught by Komatsu et al., in an effort to enhance the image structure (Wen – Summary, Column 1, Lines 32-33), provide an intermediate transfer type printing method with improved transfer efficiency and optical density thereby forming a "good image" (Holloway et al. – Background, Column 1, Lines 25-33 and Detailed Description, Column 2, Lines 19-20), and provide an intermediate transfer ink jet recording method which enables a print to be obtained with high efficiency (Komatsu et al. – Summary, Column 2, Lines 15-17).

8. **Claim 7** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Jeanmaire et al.,** (US 6,109,746 A) **Wen,** (US 6,234,625 B1) and **Holloway et al.,** (US 6,398,357 B1) as applied to **claims 1 & 2** above, and further in view of **Asano et al.,** (US 6,318,853 B1).

The previous combination of Jeanmaire et al., Wen, and Holloway et al. remains as applied above, but ***does not*** specifically teach a position to which the first liquid is applied is changed according to an image to be formed. ***However,*** Asano et al. teach an image forming method using an intermediate medium and a first liquid jet head provided upstream of the other jet heads which ejects the liquid on the intermediate medium where an image is to be formed (Asano et al. – Title; Summary, Column 3, Lines 13-15 and Figure 1, Reference #30, shown below).

Fig.1



Given the same field of endeavor, specifically a method for forming an image using various treatments and surfaces, to include an intermediate transfer medium, it is apparent that one of ordinary skill in the art at the time the invention was made would have been motivated to combine the method for printing information on an intermediate transfer medium and then to the image receiver as taught by the combination of Jeanmaire et al., Wen, and Holloway et al. with the ink jet recording method incorporating a head that ejects the first material on the intermediate medium where an image is to be formed as taught by Asano et al., in an effort to enhance the image structure (Wen – Summary, Column 1, Lines 32-33), provide an intermediate transfer type printing method with improved transfer efficiency and optical density thereby forming a "good image" (Holloway et al. – Background, Column 1, Lines 25-33 and Detailed Description, Column 2, Lines 19-20), and control the area to which the first material is applied thereby providing an intermediate transfer ink jet recording method which enables evenly transferred high quality images (Asano et al. – Abstract; Background, Column 2, Lines 64-66 and Summary, Column 3, Lines 1-3).

9. **Claim 11** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Jeanmaire et al.,** (US 6,109,746 A) **Wen, (**US 6,234,625 B1) and **Holloway et al.,** (US 6,398,357 B1) as applied to **claims 1 & 2** above, and further in view of **Tanikawa et al.,** (US 6,623,816 B1).

The previous combination of Jeanmaire et al., Wen, and Holloway et al. remains as applied above, but ***does not*** specifically teach at least one of the first liquid, the second liquid, and the ink contains a crosslinking agent. ***However,*** Tanikawa et al. teach a recording method using an intermediate transfer medium wherein an intermediate transfer element is placed on the surface of the intermediate transfer medium that which contains crosslinking polymers or other suitable materials (Tanikawa et al. – Title; Abstract and

Detailed Description, Column 8, Lines 38-57). Given the same field of endeavor, specifically a method for forming an image using various treatments and surfaces, to include an intermediate transfer medium, it is apparent that one of ordinary skill in the art at the time the invention was made would have been motivated to combine the method for printing information on an intermediate transfer medium and then to the image receiver as taught by the combination of Jeanmaire et al., Wen, and Holloway et al. with the ink jet recording method incorporating a material that contains a crosslinking agent as taught by Tanikawa et al., in an effort to enhance the image structure (Wen – Summary, Column 1, Lines 32-33), provide an intermediate transfer type printing method with improved transfer efficiency and optical density thereby forming a "good image" (Holloway et al. – Background, Column 1, Lines 25-33 and Detailed Description, Column 2, Lines 19-20), and produce a high quality image without any blurring, mixing or penetration of the ink liquid (Tanikawa et al. – Abstract and Background, Column 3, Lines 59-63).

Response to Arguments

10. Applicant's arguments filed 28 January 2008 have been fully considered but they are not persuasive.

11. With respect to independent **claims 1-3** and therefore **claims 4-13**, which inherently contain all of the limitations of the independent claims, applicant argued that "the combination, Jeanmaire et al., Wen, and Holloway et al. fail to disclose or suggest important features of the present invention recited in the independent claims." As noted in the above rejection which

further indicates additional citations, the combination does teach the above referenced limitations.

a. In response to the applicant's argument that "...the ink precursors are not applied before the ink, but as an alternative to an ink application... and if the fluid delivered by the printhead is an ink precursor, and not an ink, then the fluid will react with the intermediate transfer medium" (Remarks, Page 19), Examiner respectfully points out that Jeanmaire et al. teach a plurality of fluids applied by print heads that include ink precursors and further include reactants and diluents and these fluids or any combination thereof, in a variety of order of application ***do not*** react with the intermediate transfer medium, but rather react with each other upon being mixed together in the cells of the intermediate transfer medium (Jeanmaire et al. – Columns 2, 3, & 8 and as further indicated above).

b. In response to the applicant's argument that "Jeanmaire et al. teaches away from the present invention by applying only one material before the ink..." (Remarks, Page 20), Examiner respectfully points out that Jeanmaire et al. teach a plurality of fluids applied by print heads in a variety of order of application and therefore clearly teaches the above mentioned limitations of the present invention while being further supported by both that which would have been apparent to one of ordinary skill in the art at the time the invention was made as well as the additional references as indicated above.

c. In response to the applicant's argument that "... the wetting agents of Holloway et al. are included in the ink, and therefore cannot be applied before the application of the ink..." (Remarks, Page 21), Examiner respectfully points out two clear teachings of the

combination: The first is the wetting agents included by Holloway et al. in the ink, are mixed into the ink composition in the cells of the Intermediate Transfer Medium as taught by Jeanmaire et al., while the second is that Holloway et al. also teaches a liquid coating solution applied separately from the in that increases the wettability of a surface [i.e. increases the transfer efficiency] (Holloway et al. – Column 4 and as further indicated above).

d. As applicant submitted no further arguments as to the patentability of the dependent **claims 4-13**, the rejection as detailed above stands.

Conclusion

12. ***Examiner's Note:*** Examiner has cited particular Figures & Reference Numbers, Columns, Paragraphs and Line Numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in their entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John P. Zimmermann whose telephone number is (571)270-3049. The examiner can normally be reached on Monday - Thursday, 7:00am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Luu can be reached on 571-272-7663. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JPZ

/LUU MATTHEW/
Supervisory Patent Examiner, Art Unit 2861